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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/630,945	08/03/2000	Juha Rinne	460-009575-US(PAR)	9273

7590

12/17/2002

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EXAMINER

TRINH, TAN H

ART UNIT

PAPER NUMBER

2684

DATE MAILED: 12/17/2002

*Remailed*

Please find below and/or attached an Office communication concerning this application or proceeding.



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**Office Action Summary**

Application No.

09/630,945

Applicant(s)

RINNE ET AL.

Examiner

TAN TRINH

Art Unit

2684

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 03 August 2000.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☐ Claim(s) 1-12 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 3.
- 4) ☐ Interview Summary (PTO-413) Paper No(s) \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

## DETAILED ACTION

### *Specification*

The abstract of the disclosure is objected to because Abstract has so many words "said".  
Correction is required. See MPEP § 608.01(b).

### *Claim Rejections - 35 USC § 102*

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

2. Claims 1, 4-5, 8 and 10-12 are rejected under 35 U.S.C. 102(e) as being anticipated by Hayes (U.S. Patent No. 6,295,448).

Regarding to claim 1, Hayes teaches a method for transmitting data information to a wireless communication device (100), in which method the user data are stored in the identification module (110), wherein in connection and communication directly between the wireless communication device (100) (see fig. 1, 3, 5 and 7, col. 2 lines 3-21). The user data stored in the identification module (110) are examined to find out the access rights of the user of the wireless communication device (100), characterized in that the user data are transmitted at least partly in a wireless manner from the identification module (110) to the wireless communication device (100) (see col. 4 lines 8-53).

Regarding to claim 4, Hayes teaches the transmission of user data, radio-frequency signals are used (see fig. 7 and 8 item 750 with select radio frequency).

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Regarding to claim 5, Hayes teaches a user data identification module (110) which comprises means (210) for storing user data and means (310) for transmission of user data to a wireless communication device (100), the wireless communication device (100) comprising means (160) for receiving user data and means (205) for examining the user data to find out the access rights of the user of the wireless communication device (100), characterized in that said means (310) for transmitting user data comprise wireless communication means (see fig. 7).

Regarding to claim 8, Hayes teaches the user data identification module (110) the transmitter (310) for transmitting user data comprise the transmitter (310) and the receiver (200) for transmitting and receiving low power radio frequency signals. (see fig. 7 and col. 11 lines 45-63).

Regarding to claim 10, Hayes teaches a wireless communication device (100) which comprises means (160) for receiving user data stored in a user data identification module (110) and means (205) for examining the user data to find out the access rights of the user of the wireless communication device (100), characterized in that said means (160) for receiving user data comprise wireless communication means (see fig 7 col. 11 lines 41-55).

Regarding to claim 11, Hayes teaches the wireless communication device (100), it is a GSM mobile station (see col. 3 lines 44-57).

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Regarding to claim 12, Hayes teaches the wireless communication device (100) comprises means (205) for setting the access rights for the wireless communication device, wherein the access rights (100) for the wireless communication device (100) are arranged to be limited, if the user data are not received from the identification module (110) in the wireless communication device (100) (see fig. 7 col. 4 lines 8-60 for assignment and activation).

*Claim Rejections - 35 USC § 103*

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

4. Claims 2 –3 and 6-7 are rejected under 35 U.S.C. 103 (a) as being unpatentable over Hayes (U.S. Patent No. 6,295,448).

Regarding to claims 2 and 6, Hayes teaches the user data stored in the identification module (110) are used in connection with at least a first (100) and a second wireless communication device to find out the access rights of the user (see fig. 7 and col. 4 lines 8-67 and col. 5 lines 1-12). Hayes fails to show the second communication device.

However, Hayes suggests the assignment and activation for the wireless communication device (100) and the identification module (110 device) are programming more than one device assignment (see fig. 7 and col. 4 lines 8-67 and col. 5 lines 1-12).

Therefore, it would have been obvious to one ordinary skill in the art at the time invention was made to modified Hayes system with the connection of functional modules

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technique thereto in order to provide user easy to communicate with point-to-point base on their wireless communication devices.

Regarding to claims 3 and 7, Hayes teaches the identification module (110) is placed in the first wireless communication device (100), wherein to find out the access rights of the user, the identification module (110) placed in the first wireless communication device (100) is assigned in the other wireless communication device (see col. 6 lines 8-32).

5. Claim 9 is rejected under 35 U.S.C. 103 (a) as being unpatentable over Hayes (U.S. Patent No. 6,295,448), in view of Engelmann (U.S. Patent No. 6,335,906).

Regarding to claim 9, Hayes teaches the user data identification module (110), it is arranged to be portable with the user.

Hayes fails to show the user data identification module (110) that is arranged to be portable with the user preferably to be attached to the wrist.

However, Engelmann teaches a portable electronic module with contactless access control system, that it is arranged to be portable with the user preferably to be attached to the wristwatch (see fig.1 and 2). Col. 9 lines 23-35).

Therefore, it would have been obvious to one ordinary skill in the art at the time invention was made to modified Hayes system by providing the teaching of Engelmann with a wristwatch mounting technique thereto in order to provide user with convenience to access when in sport.

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*Conclusion*

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Fox (U.S. Patent No. 5,943,624) discloses contactless smart card for use in cellular telephone.

Seiler (U.S. Patent No. 4,907,264) discloses telephone set with subscriber listing.

Mital (U.S. Patent No. 5,664,228) discloses portable information device and system and method for downloading executable instructions from a computer to the portable information device.

Viktorsson (U.S. Patent No. 6,397,080) discloses method and device for use in a virtual environment.

7. **Any response to this action should be mailed to:**

Commissioner of Patents and Trademarks  
Washington, D.C. 20231

**or faxed to:**

**(703) 872-9314, (for Technology Center 2600 only)**

*Hand-delivered responses should be brought to Crystal Park II,  
2121 Crystal Drive, Arlington, VA., Sixth Floor (Receptionist).*

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tan Trinh whose telephone number is (703) 305-5622. The examiner can normally be reached on Monday-Friday from 9:30 AM to 6:00 PM.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Daniel Hunter, can be reached at (703) 308-6732.



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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the **Technology Center 2600 Customer Service Office** whose telephone number is **(703) 306-0377**.

Tan H. Trinh  
Art Unit 2684  
September 19, 2002

  
THANH TRINH  
ART UNIT 2684  
